

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

JOHN KELK, *individually and on behalf of
all others similarly situated*,

Plaintiffs,

v.

BAUSCH HEALTH COMPANIES INC., *et
al.*,

Defendants.

Civil Action No. 23-3996 (ZNQ) (RLS)

ORDER

OURAISHI, District Judge

THIS MATTER comes before the Court upon (1) a Motion to Dismiss (the “Motion to Dismiss,” ECF No. 42) filed by Defendants Bausch Health Companies Inc. (“Bausch Health” or “the Company”), Joseph Papa, Paul Herendeen, and Thomas Appio (collectively, “Defendants”), and (2) a Motion for Leave to File a Sur-Reply (the “Sur-Reply Motion,” ECF No. 52) filed by Lead Plaintiffs R. Cassian Anderson and Donna S. Preves (collectively, “Plaintiffs”). For the reasons set forth in the accompanying Opinion,

IT IS on this **12th** day of **February 2025**,

ORDERED that Defendants’ Motion to Dismiss (ECF No. 42) is hereby **GRANTED**; and it is further

ORDERED that the Amended Complaint is hereby **DISMISSED** without prejudice; and it is further

ORDERED that Plaintiffs’ Sur-Reply Motion (ECF No. 52) is hereby **DENIED**; and it is further

ORDERED that Plaintiffs have **30 days** from the date of this Order to file a Second Amended Complaint to address the deficiencies identified in the accompanying Opinion.

s/ Zahid N. Quraishi
ZAHID N. QURAISHI
UNITED STATES DISTRICT JUDGE